

FILED
5/31/22 9:21 am
CLERK
U.S. BANKRUPTCY
COURT - WDPA

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE: Vickie Lee Lathero

)
) Case No. 22-70065-JAD
)
) Chapter 13
) Debtor(s).
) Related to ECF No. 16
X

ORDER OF COURT
(Check Boxes That Apply)

☐ Confirming Plan on Final Basis

☒ Chapter 13 Plan dated:
March 3, 2022

☒ Authorizing Distributions Under Plan
On Interim Basis Solely as Adequate
Protection

☐ Amended Chapter 13 dated: _____

IT IS HEREBY ORDERED that pursuant to the plan identified above (the "Plan"), as the same may be modified by this Order, the Chapter 13 Trustee is authorized to make distributions to creditors holding allowed claims from available funds on hand. Such distributions shall commence no earlier than the Chapter 13 Trustee's next available distribution date after the first day of the month following the date on which this Order is entered on the Court's docket.

IT IS FURTHER ORDERED that those terms of the Plan which are not expressly modified by this Order shall remain in full force and effect. To the extent any terms and conditions of the Plan are in conflict with this Order, the terms of this Order shall supersede and replace any conflicting terms and conditions of the Plan.

1. Unique Provisions Applicable Only to This Case: *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic monthly Plan payment is amended to be \$, beginning. To the extent there is no wage attachment in place or if an existing wage attachment is insufficient to fund the Plan payments, counsel to the Debtor(s) shall within seven (7) days hereof file a wage attachment motion (or motions) to fully fund the Plan payments, or shall sign up for and commence payments under the Trustee's TFS online payment program.
- ☐ B. The length of the Plan is changed to a total of at least ____ months. This

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statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved.

- ☒ C. To the extent this Order is entered as a form of adequate protection, the Trustee is authorized to distribute to secured and priority creditors with percentage fees payable to the Chapter 13 Trustee on receipt as provided for in 28 U.S.C. §586. *Continued conciliation conferences before the Trustee or contested hearings before the Court shall proceed on such dates and times as appear on the case docket.* The Trustee is deemed to have a continuous objection to the Plan until such time the Plan is confirmed on a final basis.

PARTIES ARE REMINDED OF THEIR DUTY TO MONITOR THE COURT'S DOCKET AND ATTEND DULY SCHEDULED HEARINGS. THE PARTIES ARE FURTHER REMINDED OF THEIR DUTY TO MEET AND CONFER AND OTHERWISE ENGAGE IN GOOD FAITH SETTLEMENT NEGOTIATIONS WITH RESPECT TO ANY OBJECTION TO PLAN CONFIRMATION. FAILURE TO COMPLY WITH THESE DUTIES MAY RESULT IN THE IMPOSITION OF SANCTIONS AGAINST THE OFFENDING PARTY.

- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under 11 U.S.C. §506, disputes over the amount and allowance of claims entitled to priority under 11 U.S.C. §507, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. The following utility creditor _____ shall be paid monthly payments of \$_____ beginning with the Trustee's next distribution and continuing for the duration of the Plan's term, to be applied by that creditor to its administrative claim, ongoing budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim:
*S&T Bank Claims #6 and #7
*Bank of America CI #2 as a pay in full
- ☐ H. The secured claims of the following creditors shall govern as to claim amount, to be paid at the modified plan interest rate in a monthly amount to be determined

by Trustee to pay the claim in full during the Plan term:

- ☐ I. The secured claim(s) of the following creditors shall govern as to claim amount, to be paid at the indicated interest rate in a monthly amount to be determined by Trustee to pay in full during the Plan term:
-

- ☐ J. The secured claim(s) of the following creditor(s) shall govern, following all allowed post-petition payment change notices filed of record:
-

- ☐ K. Additional Terms and Conditions:

2. Deadlines. The following deadlines are hereby established and apply to this case:

A. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates a sale or sales of assets or the recovery of litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

B. Review of Claims Docket and Objections to Claims. Pursuant to *W.P.A.L.B.R. 3021-1(c)(2)*, the Debtor(s) (or Debtor(s)' attorney, if represented), shall review the proofs of claim filed in this case and shall file objections (1) to any disputed timely filed claims within ninety (90) days after the claims bar date, or (2) to any disputed late filed or amended claims within ninety (90) days after the amended and/or late claims are filed and served. Absent a timely objection or further order of the Court, the timely filed proof of claim will govern as to the classification and amount of the claim; provided however, no creditor shall receive a distribution in this case until such time as the relevant allowed claim is provided for in the Plan or any subsequent amended plan.

C. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, and all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

D. Filing Amended Plans or Other Stipulation. Within fourteen (14) days after the Bankruptcy Court resolves the priority of a claim, avoidability of a lien or interest, or extent of a lien, or any objection to claim, the Debtor(s) shall file an Amended Plan or Stipulated Order Modifying Plan to provide for the allowed amount of the lien or claim if the allowed amount and/or treatment differs from the amount and/or treatment stated in the Plan. The Debtor(s) or Counsel for Debtor(s) should inquire with the Chapter 13 Trustee regarding whether an Amended Plan or proposed Stipulated Order Modifying Plan is the preferred course of action. In addition, if after the conclusion of the claims bar date and any associated litigation, the Plan is

underfunded, Debtor(s) shall also file (1) an amended Plan increasing the monthly Plan payment, and (2) a revised wage attachment to provide for the increased funding.

3. Additional Provisions. The following additional provisions apply in this case:

A. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

B. The Trustee shall hold in reserve any distributions under the Plan to any creditor who holds a claim that is provided for in the Plan but which is subject to a duly filed claims objection. Upon entry of further order of the Court, or ultimate allowance of the disputed claim provided for in the Plan, the Trustee may release the reserve and make distribution to the affected creditor. Unless otherwise permitted by separate Order of Court, Trustee shall not commence distributions to unsecured creditors until after the later of the government bar date and a filed notice of an intention to pay claims (the later date being the "Earliest Unsecured Distribution Date"). Trustee may, but has no obligation to, further defer distributions to unsecured creditors until a later date after the Earliest Unsecured Distribution Date.

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor(s)' counsel must file a fee application in accordance with *W.P.A.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.


E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any allowed *secured claim* (that is secured by the property subject to the relief from stay order), unless otherwise directed by further Order of Court.

G. The Debtor(s) shall maintain all policies of insurance on all property of the Debtor(s) and this estate as required by law and/or contract.

H. The Debtor(s) shall pay timely all post-confirmation tax liabilities directly to the appropriate taxing authorities as they become due.

Dated: May 31, 2022


Jeffery A. Deller jah
United States Bankruptcy Judge

cc: All Parties in Interest to be served by Clerk

In re:
Vickie Lee Lathero
Debtor

Case No. 22-70065-JAD
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-7
Date Rcvd: May 31, 2022

User: auto
Form ID: pdf900

Page 1 of 4
Total Noticed: 54

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
++	Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. § 342(f)/Fed. R. Bank. P. 2002(g)(4).
^	Addresses marked '^' were sent via mandatory electronic bankruptcy noticing pursuant to Fed. R. Bank. P. 9036.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jun 02, 2022:

Recip ID	Recipient Name and Address
db	+ Vickie Lee Lathero, 217 Coleridge, Altoona, PA 16602-3109
cr	+ S&T Bank, 355 North Fifth Street, Indiana, PA 15701-1940
15467613	+ AES as agent for PHEAA, PHEAA, PO BOX 8147, HARRISBURG, PA 17105-8147
15459354	+ Altoona Reg Hlth Sys F, 620 Howard Ave, Altoona, PA 16601-4899
15459361	++ CCO MORTGAGE CORP, 10561 TELEGRAPH RD, GLEN ALLEN VA 23059-4577 address filed with court:, CCO Mortgage Corp., Attn: Bankruptcy, 10561 Telegraph Rd, Glen Allen, VA 23059
15459373	+ Lendclub Bnk, Attn: Bankruptcy, 595 Market Street, Suite 200, San Francisco, CA 94105-2802
15477729	+ LendingClub Bank, NA, P.O. BOX 884268, Los Angeles, CA 90088-4268
15459377	+ S & T Bank, 800 Philadelphia, Indiana, PA 15701-3908
15459376	+ S & T Bank, PO Box 190, Indiana, PA 15701-0190
15468167	+ S&T Bank, 355 North 5th Street, Indiana, PA 15701-1940
15468168	S&T Bank, c/o Elizabeth L. Slaby, Esquire, Grenen & Birsic, PC, One Gateway Center, 9th Floor, Pittsburgh, PA 15222
15470163	UPMC HEALTH SERVICES, PO BOX 1123, MINNEAPOLIS, MN 55440-1123

TOTAL: 12

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	+ Email/PDF: rmscedi@recoverycorp.com	Jun 01 2022 03:19:11	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
cr	+ Email/Text: ebnpeoples@grblaw.com	Jun 01 2022 03:11:00	Peoples Natural Gas Company LLC, GRB Law, c/o Jeffrey R. Hunt, Esquire, 525 William Penn Place, Suite 3110, Pittsburgh, PA 15219, UNITED STATES 15219-1753
15459357	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Jun 01 2022 03:19:18	AT&T Universal Citi Card, Attn: Bankruptcy, Po Box 6500, Sioux Falls, SD 57117-6500
15459353	+ Email/Text: tdell@altoonabank.com	Jun 01 2022 03:11:00	Altoona First Savings, 203 N Logan Blvd, Altoona, PA 16602-1726
15459355	+ Email/Text: bncnotifications@pheaa.org	Jun 01 2022 03:11:00	American Education Services/PHEAA, Attn: Bankruptcy, Po Box 2461, Harrisburg, PA 17105-2461
15459356	+ Email/PDF: bncnotices@becket-lee.com	Jun 01 2022 03:19:14	Amex/Bankruptcy, Correspondence/Bankruptcy, Po Box 981540, El Paso, TX 79998-1540
15464010	Email/Text: creditcardbkcorrespondence@bofa.com	Jun 01 2022 03:11:00	Bank of America, N.A., PO BOX 31785, Tampa, FL 33631-3785
15459358	+ Email/PDF: MarletteBKNotifications@resurgent.com	Jun 01 2022 03:19:09	Best Egg, Attn: Bankruptcy, 1523 Concord Pike, Suite 201, Wilmington, DE 19803-3656
15459359	+ Email/PDF: AIS.cocard.ebn@aisinfo.com	Jun 01 2022 03:19:13	Capital One, Attn: Bankruptcy, Po Box 30285, Salt Lake City, UT 84130-0285
15459360	+ Email/PDF: AIS.cocard.ebn@aisinfo.com		

District/off: 0315-7

User: auto

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		Jun 01 2022 03:19:14	Capital One/boscovs, Attn: Bankruptcy, Po Box 30285, Salt Lake City, UT 84130-0285
15459363	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Jun 01 2022 03:19:11	Citibank/The Home Depot, Citicorp Credit Srvs/Centralized Bk dept, Po Box 790034, St Louis, MO 63179-0034
15459364	+ Email/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM	Jun 01 2022 03:11:00	Comenity Bank/Avenue, Attn: Bankruptcy, Po Box 182125, Columbus, OH 43218-2125
15459365	+ Email/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM	Jun 01 2022 03:11:00	Comenity Bank/Value City Furniture, Attn: Bankruptcy, Po Box 182125, Columbus, OH 43218-2125
15459366	+ Email/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM	Jun 01 2022 03:11:00	ComenityCapital/Boscov, Attn: Bankruptcy Dept, Po Box 182125, Columbus, OH 43218-2125
15459367	Email/PDF: DellBKNotifications@resurgent.com	Jun 01 2022 03:19:11	Dell Financial Services, Attn: Bankruptcy, Po Box 81577, Austin, TX 78708
15459374	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Jun 01 2022 03:19:18	Macys/fdsb, Attn: Bankruptcy, 7 West Seventh Street, Cincinnati, OH 45202
15462211	Email/Text: mrdiscen@discover.com	Jun 01 2022 03:11:00	Discover Bank, Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025
15459368	+ Email/Text: mrdiscen@discover.com	Jun 01 2022 03:11:00	Discover Financial, Attn: Bankruptcy, Po Box 3025, New Albany, OH 43054-3025
15459369	+ Email/Text: bncnotifications@pheaa.org	Jun 01 2022 03:11:00	Fedloan, Attn: Bankruptcy, Po Box 60610, Harrisburg, PA 17106-0610
15459370	+ Email/Text: ElectronicBankruptcyNotices@fnb-corp.com	Jun 01 2022 03:11:00	First Natl Bk Of Pa, 3320 East State Street, Hermitage, PA 16148-3399
15459371	+ Email/Text: megan@healthcarefirstcu.com	Jun 01 2022 03:12:00	Healthcare First Cu, 1152 Franklin St, Johnstown, PA 15905-4310
15459362	Email/PDF: ais.chase.ebn@aisinfo.com	Jun 01 2022 03:19:10	Chase Card Services, Attn: Bankruptcy, Po Box 15298, Wilmington, DE 19850
15459372	+ Email/Text: PBNCNotifications@peritussservices.com	Jun 01 2022 03:11:00	Kohls/Capital One, Attn: Credit Administrator, Po Box 3043, Milwaukee, WI 53201-3043
15475805	Email/PDF: resurgentbknofications@resurgent.com	Jun 01 2022 03:19:18	LVNV Funding, LLC, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
15459375	+ Email/PDF: pa_dc_claims@navient.com	Jun 01 2022 03:19:10	Navient, Attn: Bankruptcy, Po Box 9640, Wiles-Barr, PA 18773-9640
15465847	+ Email/Text: ebnpeoples@grblaw.com	Jun 01 2022 03:11:00	Peoples Natural Gas Company LLC, c/o GRB Law, Jeffrey R. Hunt, Esquire, 525 William Penn Place, Suite 3110, Pittsburgh, PA 15219-1753
15471249	Email/Text: bnc-quantum@quantum3group.com	Jun 01 2022 03:11:00	Quantum3 Group LLC as agent for, MOMA Trust LLC, PO Box 788, Kirkland, WA 98083-0788
15459379	+ Email/Text: ebn_bkrt_forms@salliemae.com	Jun 01 2022 03:12:00	SALIE MAE, PO BOX 3319, Wilmington, DE 19804-4319
15459380	+ Email/PDF: gecsed@recoverycorp.com	Jun 01 2022 03:19:13	SYNCB/BRMart, Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060
15472958	Email/Text: ebn_bkrt_forms@salliemae.com	Jun 01 2022 03:12:00	Sallie Mae, P.O. Box 3319, Wilmington, DE 19804-4319
15459381	+ Email/PDF: gecsed@recoverycorp.com	Jun 01 2022 03:19:10	Synco/Lane Furniture, Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060
15479193	+ Email/PDF: gecsed@recoverycorp.com	Jun 01 2022 03:19:13	Synchrony Bank, c/o PRA Receivables Management, LLC, PO Box 41021, Norfolk VA 23541-1021
15459382	+ Email/PDF: gecsed@recoverycorp.com	Jun 01 2022 03:19:13	Synchrony Bank, Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060

District/off: 0315-7

User: auto

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15460173	+ Email/PDF: gecsedl@recoverycorp.com	Jun 01 2022 03:19:10	Synchrony Bank, c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
15459383	+ Email/PDF: gecsedl@recoverycorp.com	Jun 01 2022 03:19:10	Synchrony Bank/Amazon, Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060
15459384	+ Email/PDF: gecsedl@recoverycorp.com	Jun 01 2022 03:19:10	Synchrony Bank/Gap, Attn: Bankruptcy Dept, Po Box 965060, Orlando, FL 32896-5060
15459385	+ Email/PDF: gecsedl@recoverycorp.com	Jun 01 2022 03:19:10	Synchrony Bank/JCPenney, Attn: Bankruptcy, Po Box 965064, Orlando, FL 32896-5064
15459386	+ Email/PDF: gecsedl@recoverycorp.com	Jun 01 2022 03:19:17	Synchrony Bank/Lowes, Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060
15459387	+ Email/PDF: gecsedl@recoverycorp.com	Jun 01 2022 03:19:13	Synchrony Bank/Old Navy, Attn: Bankruptcy Dept, Po Box 965060, Orlando, FL 32896-5060
15459388	+ Email/PDF: gecsedl@recoverycorp.com	Jun 01 2022 03:19:10	Synchrony Bank/Sams, Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060
15459389	+ Email/PDF: gecsedl@recoverycorp.com	Jun 01 2022 03:19:10	Synchrony/PayPal Credit, Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060
15466196	Email/Text: bncnotifications@pheaa.org	Jun 01 2022 03:11:00	U.S. Department of Education, c/o FedLoan Servicing, P.O. Box 69184, Harrisburg, PA 17106-9184
15470163	^ MEBN	Jun 01 2022 03:10:00	UPMC HEALTH SERVICES, PO BOX 1123, MINNEAPOLIS, MN 55440-1123

TOTAL: 43

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		BANK OF AMERICA, N.A.
15459378	*+	S&T Bank, PO Box 190, Indiana, PA 15701-0190

TOTAL: 1 Undeliverable, 1 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jun 02, 2022

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 31, 2022 at the address(es) listed below:

Name	Email Address
Beth L. Slaby	on behalf of Creditor S&T Bank bslaby@grenenbirsic.com mcpupec@grenenbirsic.com

District/off: 0315-7

User: auto

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Brian Nicholas

on behalf of Creditor BANK OF AMERICA N.A. bnicholas@kmlawgroup.com

Jeffrey Hunt

on behalf of Creditor Peoples Natural Gas Company LLC ecfpeoples@grblaw.com PNGbankruptcy@peoples-gas.com

Louis R. Pomerico

on behalf of Debtor Vickie Lee Lathero info@pomericolaw.com
pmcarr1920@outlook.com;loupom@aol.com;r50803@notify.bestcase.com

Office of the United States Trustee

ustpreion03.pi.ecf@usdoj.gov

Ronda J. Winnecour

cmecf@chapter13trusteewdpa.com

TOTAL: 6